

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**R.M.S. TITANIC, INC.,
successor-in-interest to
Titanic Ventures, limited partnership,
Plaintiff,**

v.

Civil Action No. 2:93cv902

**THE WRECKED AND ABANDONED VESSEL,
ITS ENGINES, TACKLE, APPAREL,
APPURTENANCES, CARGO, ETC., LOCATED
WITHIN ONE (1) NAUTICAL MILE OF A POINT
LOCATED AT 41 43' 32" NORTH LATITUDE
AND 49 56' 49" WEST LONGITUDE,
BELIEVED TO BE THE R.M.S. TITANIC
in rem,**

Defendant.

UNITED STATES' UNOPPOSED MOTION TO INTERVENE

COMES NOW the United States of America, and moves pursuant to Federal Rule of Civil Procedure 24(a), or in the alternative Federal Rule of Civil Procedure 24(b), to intervene in this matter for all purposes necessary to protect the United States' interests and the interests of *Titanic*; to ensure the proper application of Section 113 of Consolidated Appropriations Act, 2017, Pub. L. No. 115-31 (May 5, 2017) ("Sec. 113") in this admiralty proceeding; to ensure Plaintiff R.M.S. Titanic, Inc.'s ("RMST") activities are consistent with federal law; and to protect the United States' ability to comply with its obligations under federal law and the Agreement Concerning the Shipwrecked Vessel R.M.S. Titanic and its Annex Rules (the "International Agreement"). The purposes for which the United States seeks to intervene include:

1. To seek a declaratory judgment that Sec. 113 modifies general maritime law as it pertains to *Titanic* and establishes the applicable substantive rules of decision for salvage operations at *Titanic* and its wreck site; and that RMST is required to comply with Sec.

113 and obtain an authorization from the Secretary of Commerce before conducting “any research, exploration, salvage, or other activity that would physically alter or disturb the wreck or wreck site of the *RMS Titanic*,” and,

2. To enjoin RMST from conducting “any research, exploration, salvage, or other activity that would physically alter or disturb the wreck or wreck site of the *RMS Titanic*,” including the 2024 Expedition, absent the issuance of an authorization from the Secretary of Commerce pursuant to Sec. 113.

Pursuant to Federal Rule of Civil Procedure 24(c), a Verified Complaint for Declaratory and Injunctive Relief is attached. A proposed order for the Court’s consideration is attached. Pursuant to Local Rule 7(F), a separate memorandum in support of this motion is being filed.

The undersigned has consulted with counsel for RMST prior to filing this motion, and has been advised that RMST does not oppose the United States’ intervention in this matter.

Respectfully submitted,

Jessica D. Aber
United States Attorney

By: /s/ Kent P. Porter
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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of August, 2023, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

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/s/ Kent P. Porter

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